

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/806,370

Confirmation No.: 8568

Appellant : Holmes et al.

Filed : October 3, 2001

TC/A.U. : 1645

Examiner : V. Portner

Docket No. : 33,383-00

Customer No. : 38199

VIA FACSIMILE to Examiner Portner (571-273-0862)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22323-1450

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir:

Applicants and the undersigned express their appreciation to Examiner Portner for the courtesy of the telephone conference with Robert J. Duminiak (Reg. No. 51,636) on February 12, 2008. This telephone conference was initiated by Examiner Portner and was responsive to our telephonic inquiry for the status of the application following the Decision on Appeal dated December 11, 2007.

The recordation of the substance of the interview is provided by the following Proposed Examiner's Amendments and the remarks herein. Examiner Portner indicated her willingness to allow claims 4-11, 14-17, 28-37 and 39-42, which were objected to within the Examiner's Answer (mailed January 17, 2007) as dependent upon a rejected base claim. Robert Duminiak indicated to Examiner Portner that, in

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Statement of the Substance of the Interview

addition to the objected to claims, claims 3, 43 and 44 were allowed, as indicated in the Examiner's Answer.

Examiner Portner requested that Applicants provide a Proposed Examiner's Amendment, containing amendments to the objected to claims placing them in allowable form, and cancelling all rejected claims. Applicants believe that the amendments marked-up in the in the attached claim set are reflective of agreement reached.

The Examiner is respectfully requested to consider and enter the attached amendments via Examiner's Amendment.

While no fee is believed due, the Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper, or credit any overpayment, to our deposit account, Number 08-3040.

Respectfully submitted,

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